

The message further announced that the House has passed the following bill, without amendment:

S.819. An act to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

The message also announced that the House agrees to the amendment of the Senate to the bill (H.R. 3085) to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 4047. A bill to prohibit the issuance of transportation security cards to individuals who have been convicted of certain crimes.

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 6121. An act to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 4051. A bill to provide sufficient resources to permit electronic surveillance of United States persons for foreign intelligence purposes to be conducted pursuant to individualized court-based orders for calls originating in the United States, to provide additional resources to enhance oversight and streamline the procedures of the Foreign Intelligence Surveillance Act of 1978, to ensure review of the Terrorist Surveillance Program by the United States Supreme Court, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-9011. A communication from the Administrator, Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Agency's actions between April 1, 2006 and September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9012. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-508, "July Local Supplemental Other Type Appropriations Approval Temporary Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9013. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-507, "Neighborhood Investment Amendment Temporary Act of 2006" received on November 6, 2006; to the Committee on

Homeland Security and Governmental Affairs.

EC-9014. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-506, "Deed Transfer and Recordation Clarification Temporary Amendment Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9015. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-505, "Uniform Disclaimers of Property Interests Revision Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9016. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-504, "Domestic Violence Amendment Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9017. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-503, "District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006" received on November 13, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9018. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-493, "Health Insurance Coverage for Habilitative Services for Children Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9019. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-492, "Library Procurement Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9020. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-523, "Digital Inclusion Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9021. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-509, "Anti-Tagging and Anti-Vandalism Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9022. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-502, "Crispus Attucks Park Indemnification Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9023. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-496, "Square 2910 Residential Development Stimulus Temporary Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9024. A communication from the Chairman, Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-495, "Wisconsin Avenue Bridge Project and Noise Control Temporary Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9025. A communication from the Chairman, Council of the District of Columbia,

transmitting, pursuant to law, a report on D.C. Act 16-494, "Separation Pay, Term of Office and Voluntary Retirement Modifications for Chief of Police Charles H. Ramsey Amendment Act of 2006" received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9026. A communication from the Chairman, Federal Maritime Commission, transmitting, pursuant to law, the Inspector General's semiannual report for the period April 1, 2006 to September 30, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9027. A communication from the Special Inspector General for Iraq Reconstruction, transmitting, pursuant to law, the October 2006 Quarterly Report; to the Committee on Homeland Security and Governmental Affairs.

EC-9028. A communication from the Secretary, United States Commission of Fine Arts, transmitting, pursuant to law, a report relative to the Commission's strategic plan for the period 2006 to 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-9029. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Absence and Leave; SES Annual Leave" (RIN3206-AK72) received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9030. A communication from the Executive Director, Office of Navajo and Hopi Indian Relocation, transmitting, pursuant to law, a report relative to the findings of the Office's tenth financial audit; to the Committee on Homeland Security and Governmental Affairs.

EC-9031. A communication from the General Counsel, Occupational Safety and Health Review Commission, transmitting, pursuant to law, the report of a rule entitled "Regulations Implementing the Freedom of Information Act" (29 CFR Part 2201) received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9032. A communication from the Secretary, Postal Rate Commission, transmitting, pursuant to law, the report of a vacancy in the position of Commissioner (Chairman), received on November 6, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC-9033. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, its report for Fiscal Year 2005 on Veterans employment in the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

EC-9034. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, a report relative to corrections that need to be made in previously submitted documents; to the Committee on the Judiciary.

EC-9035. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Schedules of Controlled Substances: Placement of Embutramide into Schedule III" (Docket No. DEA-269F) received on November 6, 2006; to the Committee on the Judiciary.

EC-9036. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Illinois State Advisory Committee; to the Committee on the Judiciary.

EC-9037. A communication from the Administrator, United States Small Business Administration, transmitting, pursuant to

law, the three-year update of the Administration's Strategic Plan; to the Committee on Small Business and Entrepreneurship.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-430. A resolution adopted by the Senate of Pennsylvania relative to the Federal Aviation Administration's proposed air traffic diversion plan; to the Committee on Commerce, Science, and Transportation.

#### SENATE RESOLUTION

Whereas, the Senate of the Commonwealth of Pennsylvania recognizes the Federal Aviation Administration's plan to divert substantial air traffic from the Philadelphia International Airport over Delaware County, Pennsylvania; and

Whereas, Philadelphia International Airport air traffic presently travels over the Delaware River, with minimal impact on air pollution and noise pollution and minimal danger of catastrophic aircraft disaster to residents of Delaware County communities; and

Whereas, Delaware County comprises 49 municipalities and has an approximate population of 550,000 people; and

Whereas, Delaware County is the fourth most populous county in the Commonwealth of Pennsylvania; and

Whereas, diverting Philadelphia International Airport air traffic over Delaware County potentially increases air and noise pollution by 925% in residential areas, subjects residents to the danger of falling debris as a result of an aircraft disaster and threatens hundreds of wildlife species inhabiting the John Heinz National Wildlife Refuge; and

Whereas, over 4,000 residents of Delaware County have signed petitions objecting to the Federal Aviation Administration's plan to divert air traffic over their homes and schools; and

Whereas, the Federal Aviation Administration has not fully provided residents and government officials an opportunity to offer meaningful comment or input on its plan to change flight patterns over Delaware County; Now, therefore, be it

*Resolved*, That the Senate of the Commonwealth of Pennsylvania call on the Federal Aviation Administration to conduct at least three public hearings throughout Delaware County to properly inform residents and government officials of the Federal Aviation Administration's proposed air traffic diversion plan, to explore the health, safety and impact on quality of life by diverting air traffic over a densely populated residential area, to afford residents and government officials an opportunity to provide meaningful comment on the plan and to obtain additional input on the environmental impact of its flight diversion plan; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania and to the Federal Aviation Administration's Eastern Region Air Traffic Division, 1 Aviation Plaza, Jamaica, NY 11434-4809.

POM-431. A concurrent resolution adopted by the Pennsylvania House of Representatives relative to the Federal Aviation Administration's proposed air traffic diversion plan; to the Committee on Commerce, Science, and Transportation.

#### HOUSE RESOLUTION NO. 836

Whereas, the House of Representatives of the Commonwealth of Pennsylvania recog-

nizes the Federal Aviation Administration's plan to divert substantial air traffic from the Philadelphia International Airport over Delaware County, Pennsylvania; and

Whereas, Philadelphia International Airport air traffic presently travels over the Delaware River, with minimal impact on air pollution and noise pollution and minimal danger of catastrophic aircraft disaster to residents of Delaware County communities; and

Whereas, Delaware County comprises 49 municipalities and has an approximate population of 550,000 people; and

Whereas, Delaware County is the fourth most populous county in the Commonwealth of Pennsylvania; and

Whereas, diverting Philadelphia International Airport air traffic over Delaware County potentially increases air and noise pollution by 925% in residential areas, subjects residents to the danger of falling debris as a result of an aircraft disaster and threatens hundreds of wildlife species inhabiting the John Heinz National Wildlife Refuge; and

Whereas, over 4,000 residents of Delaware County have signed petitions objecting to the Federal Aviation Administration's plan to divert air traffic over their homes and schools; and

Whereas, the Federal Aviation Administration has not fully provided residents and government officials an opportunity to offer meaningful comment or input on its plan to change flight patterns over Delaware County; therefore, Now, be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania call on the Federal Aviation Administration to conduct at least three public hearings throughout Delaware County to properly inform residents and government officials of the Federal Aviation Administration's proposed air traffic diversion plan, to explore the health, safety and impact on quality of life by diverting air traffic over a densely populated residential area, to afford residents and government officials an opportunity to provide meaningful comment on the plan and to obtain additional input on the environmental impact of its flight diversion plan; and be it further

*Resolved*, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania and to the Federal Aviation Administration's Eastern Region Air Traffic Division, 1 Aviation Plaza, Jamaica, NY 11434-4809.

POM-432. A joint resolution adopted by the California Legislature relative to amending the Federal Railroad Safety Act; to the Committee on Commerce, Science, and Transportation.

#### SENATE JOINT RESOLUTION NO. 13

Whereas, the transportation of freight and passengers by railroad has been an integral part of California's economic infrastructure for nearly 150 years, and remains central to a vibrant economy that Californians hope to continue to enjoy in the 21st century; and

Whereas, the regulation of railroad operations is a major objective of California government in order to ensure and promote the health and safety of California's communities and its residents; and

Whereas, there has been a significant increase in the past 10 years in the number of derailments and accidents on California railroads, resulting in injuries, death, and damage within communities where railroads exist, and leading to growing attention and concern throughout the country; and

Whereas, the Federal Railroad Safety Act was intended to promote safety in every area of railroad operations and reduce railroad-re-

lated accidents and incidents, and has sharply restricted the authority of California and the other states to address rail safety issues, through a broad preemption of state laws; and

Whereas, the Federal Railroad Safety Act nevertheless was intended to provide for cooperative state and federal activity to prevent accidents and reduce their severity when they do occur, including allowing states to act where federal officials have not, providing concurrent state safety jurisdiction over railroads at essentially local safety hazards within states, and authorizing delegations of authority to state officials by the Federal Railway Administration; and

Whereas, Federal courts have consistently failed to find local safety hazards that would permit California to effectively regulate railway safety so as to anticipate and prevent accidents; and

Whereas, the Federal Railroad Administration has failed to institute the necessary rulemakings to develop safety regulations that fully protect California's communities and their residents from railroad derailments, hazardous materials spills, and highway-rail crossing accidents that result in injuries, death, and damage within communities where railways exist; and where the Federal Railroad Administration has exercised jurisdiction, it has precluded states from providing the public with greater safety protections and from reducing the number and severity of railroad derailments, hazardous materials spills, and highway-rail crossing accidents within their jurisdictions; and

Whereas, the Federal government has failed to develop comprehensive plans to protect the public health and safety and to effectively fund railway safety programs; and

Whereas, California has a history of working with the Federal Railroad Administration in coordinating inspections, and has established and funded extensive railway safety programs; and

Whereas, there now exists a clear need to amend federal law in order to empower California officials to protect the public health and safety and to continue to build on the cooperation between California and federal rail safety officials; Now, therefore, be it

*Resolved*, by the Senate and the Assembly of the State of California, jointly, That the Legislature of the State of California urges the President and the Congress of the United States to amend the Federal Railroad Safety Act to increase the authority of state and local governments to enact railroad safety regulations providing greater protection for their residents from railroad derailments, hazardous materials spills, and highway-rail crossing accidents, so long as the state enactments, rules, or regulations do not conflict with federal law and do not impose an unreasonable burden on interstate commerce; and be it further

*Resolved*, That the Federal Railroad Administration is urged to work cooperatively with California and the railroad corporations by increasing its staff and funding, and by delegating additional authority to California officials to promulgate and enforce standards relating to railway track, operations, and equipment that will prevent and reduce the severity of accidents, derailments, and hazardous materials spills; and be it further

*Resolved*, That the Secretary of the Senate transmit copies of this resolution to the President and Vice President of the United States, and to each Senator and Representative from California in the Congress of the United States.

POM-433. A concurrent resolution adopted by the Pennsylvania House of Representatives relative to urging the Pennsylvania